

Applicant : Maria Yuang et al.  
Serial No. : 09/978,368  
Filed : October 16, 2001  
Page : 5 of 8

Attorney's Docket No.: 13612-002001  
Client's Ref. No.: P3752/0396-P070US

Amendments to the Drawings:

The attached replacement sheet of drawings includes changes to FIG. 1 and replaces the original sheet including FIG. 1.

Attachments following last page of this Amendment:

Replacement Sheet (1 page)  
Annotated Sheet Showing Changes (1 page)

### REMARKS

Claims 1 and 4-7 are pending in the application, of which claim 1 is independent.  
Favorable reconsideration and further examination are respectfully requested.

#### Objection to the drawings

The applicants submit herewith one sheet of corrected drawings. In FIG. 1, the location of reference numeral "11" has been moved to more clearly designate the "output queue" (described in one example at page 4, line 18 of the specification). Three additional reference numerals "111" have been included in FIG. 1. Each reference numeral "111" designates a "window" (described in one example at page 4, lines 19-20). Further, the applicants' amendments to the specification at page 5, line 10 address the examiner's objections to the drawings with respect to "window k". No new matter has been added. The applicants respectfully request withdrawal of the objection to the drawings.

#### Objection to the specification

The specification has been amended to correct a typographical error. No new matter has been added. The applicants respectfully request withdrawal of the objection to the specification.

#### Allowable subject matter

The applicants acknowledge the examiner's indication that claims 3-7 contain allowable subject matter.

#### 35 U.S.C. § 103(a) rejection

Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mysore et al. (US 6,810,426, "Mysore") in view of Lu (US 6,480,911).

Claim 1 has been amended to include the features of previously-presented claim 3, which the examiner indicated in the Office Action of June 15, 2005 contains allowable subject matter. Claim 1, as amended, recites a method in which "when packet  $P_i$  of flow  $i$  arrives, determining

whether the credit  $c_i$  of flow  $i$  is larger than the size of packet  $P_i$  based on the normalized weight  $w_i$ , window index  $d_i$  and credit  $c_i$  corresponding to the flow  $i$ , wherein the normalized weight  $w_i$ , window index  $d_i$  and credit  $c_i$  are stored in a table.” The applicants submit that neither Mysore nor Lu, alone or in combination, teach or make obvious the method of amended claim 1. For at least this reason, claim 1 is patentable over Mysore in view of Lu. Claim 2 has been canceled in this Amendment, thus rendering the rejection moot. Claims 4-7 depend on claim 1 and are patentable for at least the same reasons.

The remaining references made of record and not relied upon

The applicants have reviewed Merani et al. (US 6,904,056), Galand et al. (US 6,188,698), and Dally et al. (US 6,891,834) that were made of record and not relied upon. The applicants do not believe that any of the references teach or suggest a method including “determining whether the credit  $c_i$  of flow  $i$  is larger than the size of packet  $P_i$  based on the normalized weight  $w_i$ , window index  $d_i$  and credit  $c_i$  corresponding to the flow  $i$ , wherein the normalized weight  $w_i$ , window index  $d_i$  and credit  $c_i$  are stored in a table” as recited in amended claim 1.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

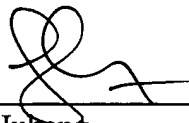
Applicant : Maria Yuang et al.  
Serial No. : 09/978,368  
Filed : October 16, 2001  
Page : 8 of 8

Attorney's Docket No.: 13612-002001  
Client's Ref. No.: P3752/0396-P070US

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 9/1/05

  
\_\_\_\_\_  
Mandy Jubang  
Reg. No. 45,884

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

Annotated sheet

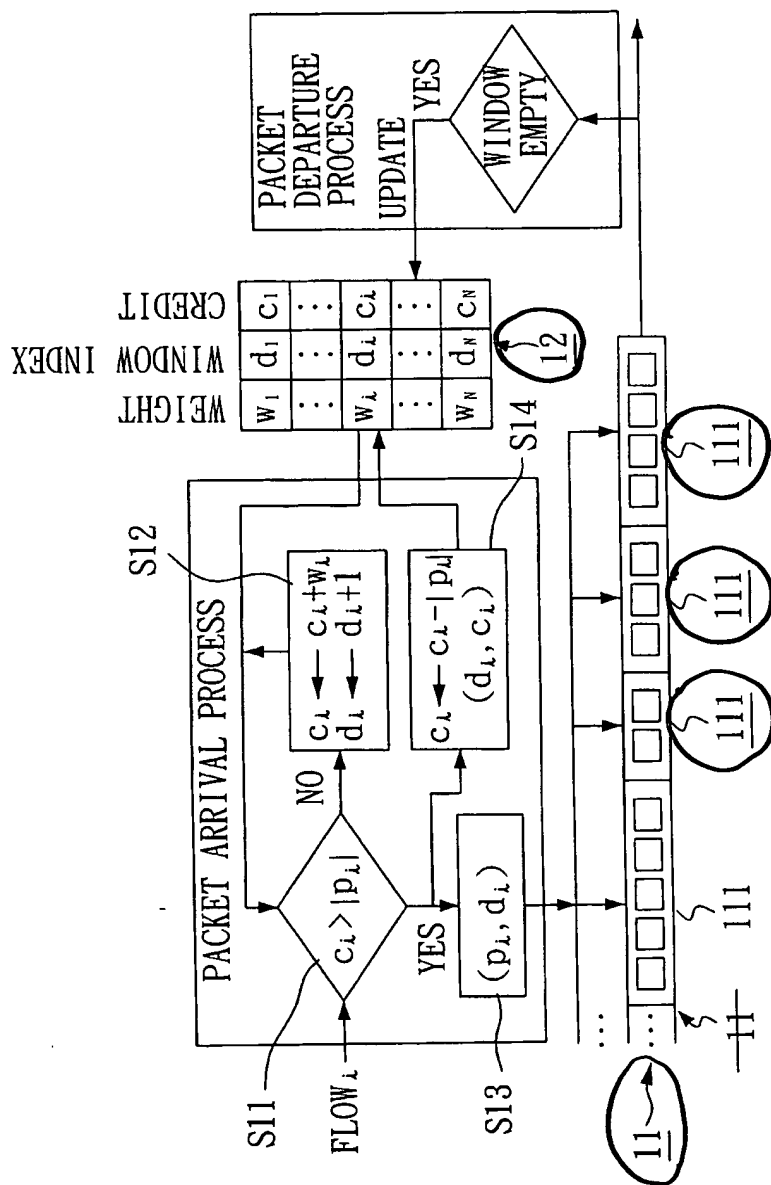


FIG. 1